United Nations A/61/115/Add.1

General Assembly

Distr.: General
29 August 2006

Original: English

Sixty-first session
Item 122 of the provisional agenda*
Joint Inspection Unit

Follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights

Note by the Secretary-General

Addendum

Summary

The present report contains the comments of the Secretary-General on the recommendations of the Joint Inspection Unit in its report of the follow-up to the management review of the Office of the United Nations High Commissioner for Human Rights (JIU/REP/2006/3). The management review was contained in a previous report of the Joint Inspection Unit (JIU/REP/2003/6). The Office of the High Commissioner for Human Rights, for the most part, agrees with and welcomes the follow-up report of the Joint Inspection Unit, and is implementing a management plan of action to resolve the recommendations considered in progress.

* A/61/150.

06-48330 (E) 190906

I. Introduction

1. At its fifty-eighth session, the Commission on Human Rights adopted resolution 2002/80 of 25 April 2002 on the composition of the staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR). In paragraph 17 of that resolution, it requested the Joint Inspection Unit to undertake a comprehensive review of the management and administration of OHCHR, in particular, with regard to its impact on the recruitment policies and the composition of the staff, and to submit a report thereon to the Commission at its sixtieth session containing concrete proposals for the implementation of the resolution. Subsequently, the Economic and Social Council, by decision 2002/272 of 25 July 2002, took note of the resolution and endorsed the decision of the Commission.

2. The report of the Joint Inspection Unit on the management review of OHCHR (JIU/REP/2003/6) was transmitted to the General Assembly in a note by the Secretary-General (A/59/65-E/2004/48). The report contained 30 recommendations, with particular emphasis on recruitment policies and the composition of the staff of the Office. The formal comments of the Secretary-General to the report were issued as an addendum (A/59/65/Add.1-E/2004/48/Add.1). In section XIV of its resolution 59/266, the General Assembly noted that the Joint Inspection Unit would submit a follow-up report on the issue to the General Assembly at its sixty-first session for consideration under relevant agenda items.

3. At its sixtieth session, the Commission on Human Rights, in its resolution 2004/73 on the composition of the staff of OHCHR, welcomed the report of the Joint Inspection Unit, and requested it to assist the Commission to monitor systematically the implementation of the resolution and to submit a follow-up comprehensive review of the implementation of the decisions of the Commission and other United Nations intergovernmental bodies regarding the management, programmes and administration of OHCHR, in particular with regard to their impact on the recruitment policies and the composition of the staff, to the Commission at its sixty-third session and to the General Assembly at its sixty-first session, containing any concrete proposals for corrective action, if required, for the implementation of the relevant intergovernmental bodies' resolutions, including resolution 2004/73.

4. By its resolution 60/251 of 15 March 2006, the General Assembly established the Human Rights Council in replacement of the Commission on Human Rights and decided that the Council would assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights.

5. The report of the Joint Inspection Unit on the follow-up to the management review of OHCHR (JIU/REP/2006/3) contained in A/61/115/ will therefore be submitted to the Human Rights Council.

II. Comments on specific recommendations

6. The comments below deal only with recommendations still considered in progress by the Inspectors. They do not cover the six recommendations considered implemented or not requiring further action.

Recommendation 3 (a)

Field operations conducted exclusively by OHCHR should be limited to a minimum and to those cases where it has been proved that no alternative exists. The implementation of field operations should be channelled through operational partners whenever possible

7. The Office of the High Commissioner considers the recommendation contrary to its plan of action (A/59/2005/Add.3) and to the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005). In paragraph 143 of his report, the Secretary-General recognized, inter alia, that a greater human rights field presence during times of crisis would provide timely information to United Nations bodies and, when necessary, draw urgent attention to situations requiring action. Moreover, in the 2005 World Summit Outcome, the General Assembly resolved to strengthen the Office of the United Nations High Commissioner for Human Rights, taking note of the High Commissioner's plan of action, to enable it to effectively carry out its mandate to respond to the broad range of human rights challenges facing the international community, particularly in the areas of technical assistance and capacity-building (resolution 60/1, para. 124).

8. Therefore, OHCHR is of the opinion that recommendation 3 (a) should no longer be considered applicable.

Recommendation 6

The Office should review the mandate of the Advisory Panel on Personnel Issues with a view to ensuring that it contributes towards the improvement of the geographical composition of the staff of the Office in general. The composition of the Panel itself should be reviewed so as to reflect a more balanced geographical distribution of its membership

9. The Office responded to the Joint Inspection Unit indicating that an advisory review panel had replaced the Advisory Panel on Personnel Issues in 2005. The new panel was an internal mechanism to provide oversight and transparency in the selection process for those vacancies not covered by other review bodies; its procedures mirrored those of the formal staff selection system and its composition was balanced in terms of gender, nationality, geographic composition and substantive representation.

10. The Inspectors commented that it was still important that a more balanced composition of the advisory review panel be established and that the current geographical composition of the six members did not reflect the membership of the United Nations as a whole. The Inspectors suggested that the High Commissioner review the composition to allow each region to have at least one representative on the panel.

11. The Office notes that, following the completion of the post regularization exercise, all OHCHR appointments have been handled through the regular United Nations review bodies. Since all new posts approved for 2006-2007 are subject to procedures for established bodies, the workload of the panel has been considerably reduced and is limited to approximately two cases per month, mainly relating to appointments for less than one year, such as for replacements pending the selection in Galaxy or for 200 series technical cooperation posts in the field.

12. The Office believes that, by establishing the advisory review panel to advise on selection of staff for posts not subject to review by the central review bodies, it has gone well beyond the requirements of the Staff Rules to ensure transparency in the selection process for non-regular recruitment. It is worth noting that this type of review is not envisaged in the United Nations Staff Regulations and Rules.

13. Moreover, the composition of the advisory review panel does fulfil the requirements regarding gender, substantive representation of the Office, nationality and geographic representation, as is indicated in its terms of reference: "In the selection of the panel, the High Commissioner will balance the composition in terms of nationality and grades while making every effort to ensure a balanced representation with respect to geography and gender." The members of the panel were appointed on 5 September 2005 for a period of one year. When appointing new members, the High Commissioner shall once more adhere to the terms of reference of the advisory review panel by making every effort to ensure a balanced representation with respect to grades, geography and gender.

14. The Office is therefore of the opinion that the recommendation requires no further action and should accordingly be closed.

Recommendation 7

The Office should compile annually a list of those countries which are either unrepresented or underrepresented within the Office, and the Secretariat should take that list into consideration when organizing specialized competitive human rights examinations.

15. As was noted by both the Joint Inspection Unit and OHCHR in the comments to the recommendation, participation in national competitive examinations is determined by the level of representation of a Member State in the Secretariat as a whole under the system of desirable ranges. As such, the examinations do not necessarily help to improve the geographical distribution issue in individual departments of the Secretariat.

16. The Inspectors suggest that OHCHR submit a yearly list of unrepresented and underrepresented Member States to the Office of Human Resources Management to be considered when programming future national competitive examinations. Since the Office is an integral part of the Secretariat, OHCHR staffing statistics are reported and available to the Office of Human Resources Management. The statistics are integrated into the Secretariat reports used to determine geographical representation. However, as it is not within the authority of OHCHR to programme examinations at the Secretariat level, OHCHR does not believe that the recommendation should be considered a work in progress for OHCHR, but rather for the Office of Human Resources Management at Headquarters, as relevant and appropriate.

Recommendation 8

The imbalance in the geographical distribution of the staff of the Office is an issue that can only be solved through a determined management action. Thus, the High Commissioner should prepare an action plan aimed at reducing the current imbalance and indicating specific targets and deadlines to be achieved.

17. While OHCHR agrees that recommendation 8 is a work in progress, it would like to point out that a comprehensive and proactive action plan reflecting a strong and continuous commitment by management has been put in place (E/CN.4/2006/103). This commitment is also reflected in the High Commissioner's plan of action (A/59/2005/Add.3) and her Strategic Management Plan for 2006-2007. During the deliberations on the proposed programme budget for 2006-2007, the High Commissioner indicated to the Advisory Committee on Administrative and Budgetary Questions that greater emphasis would be placed on achieving a better geographical balance in terms of the new posts for the Office. That commitment was reflected in the report of the Committee and will be addressed by it in the context of the budget for 2008-2009.

18. The High Commissioner has personally paid particular attention to the issue. As a result, of the 10 posts subject to geographical distribution at the level of Assistant Secretary-General and Director, five are now occupied by staff members from countries in transition or developing countries, two by staff members from developed countries, while the remaining three posts are in the process of being filled.

19. The action plan contained in document E/CN.4/2006/103 and its implementation to date reflect the high priority that the High Commissioner is giving to the improvement of geographical balance within the Office. Its primary focus is to expand the pool of qualified candidates from the widest possible range of countries and backgrounds. In order to do so, OHCHR identified target countries that are underrepresented both in the Secretariat as a whole and in OHCHR. Priority consideration is also given to candidates from countries that are within range in the Secretariat but unrepresented or underrepresented in OHCHR.

20. Since March 2006, advertisements for open posts on the United Nations employment website have been placed regularly in widely read periodicals in Africa, Asia and Latin America. OHCHR has compiled a mailing list of approximately 1,270 governmental institutions, international organizations, non-governmental organizations, permanent missions, national human rights institutions and academic institutions willing to act as information relays. Those entities regularly receive information on current vacancies at OHCHR, which they disseminate locally. They are also encouraged to bring the names of interesting candidates from their own rosters to the attention of OHCHR.

21. The Office has started to organize recruitment missions to targeted countries and will continue to undertake recruitment activities in conjunction with important OHCHR conferences and visits by OHCHR officials. The Office is committed to improving its geographical diversity on an ongoing basis and accepts the recommendation as a work in progress.

III. Conclusion

22. The Office agrees that further efforts are needed to address the issue of geographical distribution. As stated above, steps are being taken to improve the situation in OHCHR but their impact will be tangible only in the medium term. The High Commissioner's formal action plan, as noted by the Inspectors, is being implemented in conjunction with all Secretariat-wide initiatives to improve geographical distribution, and considerable progress has already been made. OHCHR continues to treat the matter as a priority.